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RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Report of the Secretary-General

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Introduction

1. In its resolution 1995/11 of 24 February 1995, the Commission on Human Rights declared that all forms of racism and racial discrimination, whether institutionalized or resulting from official doctrines of racial superiority or exclusivity, such as "ethnic cleansing", were among the most serious violations of human rights in the contemporary world and must be combated by all available means, requested the Secretary-General to submit a detailed annual report on:

"(a) All activities of Member States, United Nations bodies, the specialized agencies and non-governmental organizations, analysing information received on such activities to combat racism and racial discrimination;

"(b) Measures to be taken to improve the coordination of the activities of the Programme of Action or to supplement, on the basis of the discussions in plenary, the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination."

2. By note verbales and letters, the Secretary-General solicited information from Governments, United Nations organs and bodies, and intergovernmental and non-governmental organizations.

3. As of 30 January 1998, replies had been received from the Governments of Bahrain, the Czech Republic, Guatemala, Morocco, Portugal, the Republic of Korea and Turkey. The Office of the High Commissioner for Human Rights also received a report from the Spanish Committee for the European Year against Racism, comprising a compilation of activities planned for 1998. This report is available for consultation at OHCHR.

4. A reply was received from the following intergovernmental organization: Council of Europe.

5. A reply was received from the following national institution for the promotion and protection of human rights: Swiss Federal Commission against Racism.

6. Replies were received from the following United Nations bodies: Department for Economic and Social Affairs, Department of Public Information, Office of the United Nations Special Adviser on Gender Issues and Advancement of Women, Office of the United Nations High Commissioner for Refugees, United Nations Interregional Crime and Justice Research Institute.

7. Replies were received from the following non-governmental organizations in consultative status with the Economic and Social Council: Afro-Asian People's Solidarity Organization, Commission of the Churches on International Affairs of the World Council of Churches, Conference of European Churches. In addition, the organization UN Watch transmitted a copy of a report containing allegations of anti-Semitic activities in Malaysia, which can also be consulted at OHCHR.

I. INFORMATION RECEIVED FROM GOVERNMENTS

A. Bahrain

1. Article 18 of the Constitution of the State of Bahrain enshrines Bahrain's long-held belief that racism has no part in its society. This article provides that "people are equal in human dignity, and citizens shall be equal in public rights and duties before the law, without discrimination as to race, origin, language, religion or belief". It should also be noted that racism and discrimination are against the principles of the sharia, from which, of course, Bahrain's spirit of friendship and tolerance is derived. In recognition of this long history of liberality and sensitivity, Bahrain acceded to the International Convention on the Elimination of All Forms of Racial Discrimination on 27 March 1990.

2. Bahrain has long been recognized and revered as a peaceful, progressive and diverse society whose tolerance is beyond reproach. Bahrain's large expatriate population - almost 40 per cent of the country's total population - works in numerous fields alongside Bahrainis. Bahrain is a unique social environment where individuals can freely practise their religious beliefs and rituals in an atmosphere of safety, religious tolerance, security and stability and without fear of discrimination, persecution or interference.

B. Czech Republic

The Czech Republic transmitted the following documents on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination:

Resolution of the Government of the Czech Republic of 29 October 1997 No. 686 on the report on the situation of the Romani community in the Czech Republic and on the present situation in the Romani community;

Government declaration on the present situation in the Romani community;

List of non-governmental grants given to Romani projects in 1996;

List of meetings held by the Government's Council for Nationalities focused on the Romani community;

University activities;

Ministry of Education restricted purposes subsidies for Romani education projects;

Donations provided by the Ministry of Culture.

All the above-mentioned documentation is available at the Office of the High Commissioner for Human Rights.

C. Guatemala

1. Guatemala reported on its efforts to combat racism and racial discrimination under Commission on Human Rights resolution 1995/11.

2. As regards action to combat discrimination, part II of the Agreement on Identity and Rights of Indigenous Peoples is of relevance. In it the Government pledged to combat racial discrimination and de facto discrimination in any form, seeking the assistance of all citizens in changing thinking, attitudes and behaviour.

3. According to the text of the Agreement, it is important that there should be a clear recognition by all Guatemalans of the reality of racial discrimination and of the compelling need to overcome it and achieve true peaceful coexistence.

4. To accomplish this the Government has undertaken to do the following:

(a) Promote in the Guatemalan Congress the classification of ethnic discrimination as a criminal offence;

(b) Promote a review by the Congress of existing legislation with a view to abolishing any law or provision that could have discriminatory implications for the indigenous peoples;

(c) Widely disseminate information on the rights of indigenous peoples through the system, the media and other channels; and

(d) Promote the effective protection of such rights, and the creation of legal offices for the defence of indigenous rights and popular law offices providing free legal assistance for persons of limited economic means in municipalities in which indigenous communities are prevalent.

The Agreement calls on the Office of the Counsel for Human Rights and other organizations for the protection of human rights to give special attention to the rights of the Maya, Garífuna and Xinca peoples.

5. Guatemala neither promotes nor endorses any discriminatory attitudes or behaviour within Guatemalan society. There are situations in which discrimination does, in fact, occur in daily life as part of human relationships. Hence the importance of recognizing that Guatemala is a multi-ethnic, multicultural and multilingual country, and the efforts being made to make the population aware of that fact and bring about peaceful coexistence and a degree of mutual respect with a view to the construction of a diversified society based on democracy and development.

6. The Government of Guatemala has supported the ratification of international instruments seeking the eradication of racial discrimination and equal rights for all individuals.

Eliminating discrimination through education

7. The Ministry of Education, through the General Directorate of Intercultural Bilingual Education (DIGEBI), has drawn up a philosophy, policies and strategies to govern intercultural bilingual education in Guatemala, which it regards as the right socio-cultural and educational route for the Maya, Xinca, Garífuna and Ladino peoples to follow in the construction of a democratic, pluralist society within a culture of peace and understanding. DIGEBI propounds the following new policies:

(a) Promoting the regionalization and decentralization of technical and administrative tasks within a framework of pluralism and democracy;

(b) Promoting intercultural relations with a view to coexistence among Mayas, Ladinos, Xincas and Garífunas based on respect and understanding;

(c) Promoting a qualitative improvement in intercultural bilingual education;

(d) Improving in-school and extra-curricular pre-literacy, literacy and post-literacy training in the Mayan, Xinca and Garífuna languages in order to consolidate the self-image of those belonging to the various linguistic communities in the country;

(e) Promoting cultural and socio-political research so as to improve curriculum planning for intercultural bilingual education, regionally and locally;

(f) To spread intercultural bilingual education to all linguistic communities within a setting of pluralism and democracy and a culture of peace;

(g) To strengthen the intercultural bilingual education curriculum in accordance with the socio-cultural and socio-linguistic features of each school district as part of a reconstructivist curriculum; and

(h) Systematically to promote qualitative and quantitative research into the effects of intercultural bilingual education.

8. There are 5,960 schoolteachers currently employed by DIGEBI to give effect to the above policies, working in 1,277 schools attended by 330,000 boys and girls in 12 of the country's 22 geographical departments. They use 14 of the 21 languages spoken in Guatemala: Pokoman, Ch'orti, Q'eqchí, Poqomchí, Achí, Kaqchikal, Tz'utujiil, K'ochee, Ixil, Mam, Q'anjob'al, Awakateko, Popti and Sipakapense.

Eliminating discrimination through human development

9. Government action has been channelled through the Guatemalan Indigenous Development Fund (FODIGUA), a governmental body whose principal objective is to support and strengthen the human development process, supported and self-managed by indigenous people of Mayan descent, raising their living

standards through the execution and financing of economic, social and cultural programmes and projects; these include socio-productive infrastructure projects, institution-building, and human resources training and development. In the course of 1997, FODIGUA saw to the execution of 134 projects that brought direct social benefits to the indigenous population, providing an investment of 19,210, 417 quetzales and benefiting 40,379 male and female Guatemalans.

D. Morocco

1. In resolution 1995/11 dated 24 February 1995 on implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, the Commission on Human Rights reaffirmed its "firm determination and its commitment to eradicate totally and unconditionally racism in all its forms and racial discrimination", an undertaking which cannot but command the unmitigated support of all justice-loving countries, given the new forms that racism and the associated intolerance can take.

2. The twelfth preambular paragraph of the resolution refers to the rights of migrant workers and members of their families. It should be noted that monitoring the situation, living conditions and treatment of migrant workers and protecting their interests are major concerns of the Moroccan Government.

3. Efforts by the Moroccan governmental authorities have tended to include repeated contacts and dialogue with the Governments of host countries in order to safeguard the protections of migrant workers and improve their families' situations. Given the substantial importance of the task and the high priority that Morocco attaches to its migrant workers and traders, the country in 1991 established the Hassan II Foundation to deal with social questions of relevance to Moroccan workers abroad and their families.

4. That all are equal before the law is laid down in the Constitution and in legislative and administrative provisions. Article 5 of the Constitution states that "All Moroccan citizens shall be equal before the law", and article 12, that "Opportunities for national employment and public offices shall be uniformly open to all citizens".

5. Islam, the religion of the Moroccan State under its Constitution, requires respect for the physical and moral integrity of the individual and gives pride of place to social values based on tolerance and coexistence irrespective of political affiliation, religious belief or the ethnic or social origins of the individuals in society. Moroccan law also prohibits all propaganda for war and severely punishes incitement to national, racial or religious hatred.

6. Morocco's Arab/Muslim society has no problems with ethnic, cultural or linguistic minorities. Islam is one of the pillars on which public order rests, and religion is considered one of the fundamental rights of the individual within society, not at all as grounds for setting people apart or deciding what rights they should enjoy, because there is no difference between Moroccans whatever their faith.

7. Likewise, there is no impediment in custom or law to foreigners resident in Morocco exercising their religions in peace. Thus the concept of a minority arises in Morocco only to the extent that Islam is the religion of the majority. But this situation has no effect on the rights and obligations of non-Muslims.

E. Portugal

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

I. CONSTITUTION, PENAL CODE, POLITICAL RIGHTS

Constitution

1. Article 13 of the Constitution establishes the principle of equality: all citizens shall have the same social dignity and shall be equal before the law. No one shall be privileged, favoured, injured, deprived of any right or exempt from any duty because of his ancestry, sex, race, language, territory of origin, religion, political or ideological convictions, education, economic situation or social condition.

Penal Code

2. The new Penal Code, approved by Decree Law 48/95 of 15 March 1995 and in force since 15 October that year, covers homicide prompted by racial, religious or political hatred in article 132, paragraph 2 (d); slavery in article 159; genocide in article 239; racial discrimination in article 240; affront on grounds of religious belief in article 251; desecration of mortal remains or burial places in article 254; public incitement to crime in article 297; public apology for a crime in article 298; criminal association in article 299; and terrorist organizations and terrorism in articles 300 and 301. Together these provisions represent a fairly comprehensive body of legislation punishing racism and racial discrimination.

Political rights

3. Foreigners and stateless persons in or resident in Portugal enjoy the same rights and are subject to the same obligations as Portuguese citizens. Political rights generally, the holding of public office not essentially technical in nature, and the rights and duties reserved to Portuguese citizens are exceptions to this rule. The law does, however, permit nationals of certain countries to vote and be elected in municipal elections (as regards eligibility to vote and be elected, act 50/96 of 4 September modified article 2, paragraph 2 (a), of Decree Law 701-B/76 of 29 December - the Local Communities Election Act - calling for the Government to publish a list before each election to municipal bodies - and Declaration 2-A/97 granted the vote to Portuguese citizens and nationals of the European Union, Brazil and Cape Verde, Argentina, Israel, Norway, Peru and Uruguay, and the right to be elected to Portuguese citizens and nationals of the European Union, Brazil and Cape Verde, Peru and Uruguay); it also allowed certain rights of a political

nature to be accorded to citizens of countries where Portuguese is officially spoken if there is an agreement to that effect between Portugal and the country concerned.

4. A number of steps have been taken under Portuguese domestic law to combat possible violations of the principle of non-discrimination. Reference should be made to the establishment of an office of the High Commissioner for Immigration and Ethnic Minorities, a reception committee for the Timorese community, and a committee to deal with extraordinary regularizations of foreigners.

II. OFFICE OF THE HIGH COMMISSIONER FOR IMMIGRATION AND ETHNIC MINORITIES

5. Decree Law 296-A/95 of 17 November, concerning the Organization Act of the thirteenth constitutional Government, called for the establishment of an office of the High Commissioner for Immigration and Ethnic Minorities which it placed under the authority of the President of the Council of Ministers.

6. The Office was established in response to the new challenges which Portugal faced as a country of destination for immigrants, since traditionally Portugal had been a source of emigrants. The need has therefore arisen to devise means of integrating immigrant families into Portuguese society. The ultimate objective of the policy is to prevent xenophobia, intolerance and discrimination against foreigners living in Portugal.

7. The Office has four major tasks to perform:

(a) To stimulate consultation and dialogue with bodies representing immigrants or ethnic minorities in Portugal, and research on the integration into society of immigrants and ethnic minorities, in collaboration with employers and trade unions, social welfare institutions and other public or private bodies operating in this area;

(b) To help to improve living conditions for immigrants in Portugal and enable them to integrate into society while ensuring respect for their original identities and cultures. It must also help to ensure that all citizens legally resident in Portugal possess equal dignity and opportunities, so as to eliminate discrimination and combat racism and xenophobia;

(c) To monitor the activities of the various governmental services responsible for entry, residence and departure of foreign citizens in Portugal with due regard for their powers and those of competent members of the Government. The Office must help to define and follow up on policies to combat social exclusion, fostering cross-linked activities by public services and government departments active in the area; and

(d) To propose regulatory measures to support immigrants and ethnic minorities.

III. THE WORKING GROUP ON GYPSY EQUALITY AND SOCIAL INTEGRATION

8. The Working Group on Gypsy Equality and Social Integration was set up by Council of Ministers resolution 157/96 of 19 October 1996 with two main objectives: first, to conduct a detailed study of the problems gypsies face in integrating into Portuguese society, and second, to draw up proposals for doing away with such social exclusion.

9. In January 1997 the Working Group (chaired by the High Commissioner for Immigration and Ethnic Minorities) submitted a report which in essence acknowledged that society in Portugal tends to exclude or be indifferent towards gypsies. The gypsy community in Portugal suffers from social, economic, cultural and even political exclusion. A lack of socio-professional skills, low literacy rates and a lack of success at school among young gypsies all serve to augment the poverty and hardship the gypsy community suffers.

10. Other factors, such as discrimination and indifference (in some cases even intolerance), further stigmatize the group. This is due to other phenomena, such as high levels of drug trafficking and consumption, poor living conditions, a lack of means of earning their livelihood and poor prospects of integration and social mobility, particularly among the younger generation.

11. A study in the Lisbon region identified 6,000 gypsies based there. The gypsy population is very young (44 per cent aged under 14); 57 per cent live in run-down housing; 69 per cent depend on hawking and peddling for their livings and 20 per cent have no paid occupation). Only 62 per cent of gypsy children are enrolled in school and of those half attend very irregularly and display considerable learning problems. About half of the children aged between 10 and 14 do not attend school.

12. The Working Group's study also described a number of steps being taken to promote equality and integration into society for the gypsies, these including:

The National Programme Against Poverty: several projects under the Programme are devoted to the gypsy population;

Experimental projects to do with the guaranteed minimum wage: there are many gypsy applicants for and recipients of the guaranteed minimum wage under projects being carried out in seven different parts of the country;

As regards housing, a series of legislative measures are making it possible to provide a more effective response to the housing needs of gypsy citizens. Housing laid out to suit the cultural characteristics of its future occupants can now be provided. Decree Law 73/1996 authorizes greater flexibility in the types of controlled-cost housing that can be constructed;

In jobs promotion, mention should be made of the cooperation agreement between the Employment and Professional Training Institute and Lisbon's Santa Casa de Misericordia on the socio-economic integration of young

gypsies. The project will cover 200 people over its two-year duration, enabling participants to acquire knowledge in a framework of professional training and civic and academic instruction.

In education, steps include the creation of a teaching guide (which covers the entire curriculum with due regard for the gypsy culture, making teaching suggestions for activities with children from other cultures), the translation of a number of works on the schooling of gypsy children, tolerance and human rights, and intercultural education projects.

IV. THE INTER-MINISTERIAL COMMITTEE ON THE TIMORESE COMMUNITY

13. Pursuant to and in application of the principle of non-discrimination, the Inter-ministerial Committee on the Timorese Community was set up by resolution 53/95 (Official Bulletin, Second Series, 7 December 1995). The Committee is responsible for coordinating and evaluating proposed integrated policies for the reception and integration of the Timorese community into Portugal.

V. SPECIAL REGULARIZATION OF ILLEGAL FOREIGN IMMIGRANTS

14. Act 17/96 of 24 May established a process of special regularization for illegal foreign immigrants. This is coordinated by a National Commission for Special Regularization which considers applications.

15. Regularization was necessary to enable foreigners to enjoy their social, economic and cultural rights to the full as regards work, social security and access to housing, since rehousing programmes covered only people legally in the country. The regularization process took place between 11 June and 11 December 1996, and was attended by 35,082 foreigners, of whom 9,255 came from Angola, 6,782 from Cape Verde, 5,308 from Guinea-Bissau, 2,330 from Brazil, 1,549 from Sao Tome and Principe and 416 from Mozambique; 25,730 of the foreigners came from Portuguese-speaking countries; 3,965 were refused admission, and of those 3,772 are currently appealing against that decision. Altogether 111,856 applications have so far been received favourably by the National Commission.

F. Republic of Korea

1. The Government of the Republic of Korea has undertaken a variety of measures to promote democratization and human rights. In line with these efforts, and in recognition of human rights as a significant part of its major foreign policy objectives, the Government has actively participated in international endeavours to improve human rights.

2. The human rights of foreigners are guaranteed in Korea under the Constitution and other relevant laws. The basic rights directly related to the dignity and value of human beings are regarded as the rights of all human beings; therefore, the fundamental human rights of foreigners are fully

respected and protected. Other rights of foreigners are also guaranteed under the principle of equality and reciprocity as prescribed by the relevant domestic laws and international law.

Ethnic homogeneity in the Republic of Korea

3. In terms of racial distribution, Korea is an ethnically homogeneous country. Korean history has seen very few serious problems relating to racial and ethnic discrimination due to this high degree of racial and ethnic homogeneity among the Korean people. The demographic composition of the population of Korea is given as follows:

(a) Korea is essentially an ethnically homogeneous country with a population of around 45.5 million as of the end of 1996;

(b) As of 31 July 1997, the number of foreign nationals residing in Korea stood at 169,453 or approximately 0.37 per cent of the total population. Of these, around 18 per cent are of Chinese nationality, followed by Americans;

(c) The number of citizens naturalized as Koreans for the period from 1995 to July 1997 was 322.

4. However, as Korean society has become more open to the world and globalized, the number of foreigners who reside in Korea has continually increased, thus raising the question of racial and ethnic discrimination against foreigners.

5. Having in mind such concerns, the Korean Government has strengthened protective measures and offered more opportunities for education to foreigners who reside in Korea. Furthermore, the Government has facilitated access to remedies for foreign workers in case of discriminatory treatment.

Legal protection

6. The Constitution of the Republic of Korea mandates that "all citizens shall be equal before the law, and there shall be no discrimination in political, economic, social or cultural life on account of sex, religion or social status". Therefore, any type of discrimination for reasons of sex, religion or social status is banned along with discrimination motivated by race, colour, language, political affiliation and other reasons. The Constitution also guarantees freedom of conscience, freedom of speech, the press, assembly and association, and freedom of establishment of political parties.

7. The Constitution also proclaims that "treaties duly concluded and promulgated under the Constitution and the generally recognized rules of international law shall have the same effect as the Korean domestic laws", conferring the authority of domestic law without requiring additional legislation for the international treaties. For instance, the International Convention on the Elimination of All Forms of Racial Discrimination was

ratified and promulgated by the Government in 1979, obliging the administration and the courts to observe the Convention when exercising their authority.

8. Foreigners residing in Korea can wholly exercise their rights pursuant to article 6 of the Constitution which pronounces that "the status of aliens shall be guaranteed in accordance with international law and treaties".

9. Furthermore, Korea made its declaration under article 14 of the Convention on 3 March 1997, thus recognizing the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals and groups of individuals within its jurisdiction claiming to be victims of a violation of any of the rights set forth in the Convention.

Protection of foreign workers

10. The principle of equal protection under the law is observed in all legislative, judicial and administrative acts of the State. Under articles 107 (1) and 111 (1) of the Constitution, the Constitutional Court adjudicates whether a particular law is in violation of the principle of equal protection under the law.

11. The Government has carefully examined the situation of foreign workers in Korea and subsequently bolstered institutional measures ensuring the timely payment of wages, safe remittance of money to home countries, compensation for injuries, and protection against mistreatment. The Government has also extended worker's injury compensation and necessary legal protection to undocumented foreign workers.

12. Discriminatory treatment of foreigners based on their nationalities is banned by law. Article 5 of the Labour Standards Act (Equal Treatment) states that "an employer shall not discriminate against workers by sex, or take discriminatory treatment in relation to the conditions of employment according to nationality, religion or social status". Foreign workers who are lawfully employed in Korea are entitled to enjoy their working rights as prescribed in the labour Standards Act. Employers who treat foreign workers discriminatively on the ground of their nationality shall be punished with a fine not exceeding 5 million won (article 115 of Labour Standards Act).

13. As a means to promote and protect the rights and interests of foreign workers, the Consulting Centre for Foreign Workers has been in operation since September 1994. Three grievances with a total cash value of 13,592,000 won have been handled during the first half of 1997, along with 38 consulting services cases.

14. Article 9 of the Trade Union and Labour Relations Adjustment Act stipulates that a member of a trade union shall not be discriminated against due to his/her race. In addition, Korea has no system or practices which restrict the right to establish and join a trade union because of race.

15. Foreigners working as industrial trainees in Korea are justly qualified to stay in the country in accordance with the Immigration Control Act. Industrial trainees are under the supervision and protection of relevant ministries on the basis of the following directives and guidelines:

(a) Guidelines on issuing visas for industrial trainees (Directives of the Ministry of Justice);

(b) Guidelines on operations of the industrial trainee system (Notifications of Small and Medium Business Administration);

(c) Guidelines on protection and management of industrial trainees (Ordinances of the Ministry of Labour).

16. On the occasions that industrial trainees are paid for their labour, eight provisions of the Labour Standards Act apply to them, pursuant to the above-mentioned Ordinances of the Ministry of Labour. They are also protected by the Minimum Wage Act, the Industrial Safety and Health Act, the Industrial Accident Compensation Insurance Act and the Medical Insurance Act.

17. The number of legal foreign workers in Korea as of 31 July 1997 is given in the following table:

Nationality	Number
United States	6 255
Canada	3 434
Japan	1 551
Philippines	1 057
China	563
Russian Federation	501
United Kingdom	493
Australia	263
Germany	245
France	187
New Zealand	84
Austria	68
South Africa	61
Ireland	39
Sweden	20
Others	1 616
Total	16 407

Protective measures for illegal foreign workers

18. The number of identified illegal foreign workers totalled 129,054 persons as of the end of 1996. Protective measures on a humanitarian basis, including "liquidation of overdue payment", are in effect in accordance with the Industrial Accident Compensation Insurance Act. Even in cases where provisions of the Labour Standards Act do not apply directly, illegal foreign workers are still protected through the Industrial Accident Compensation Insurance Act, safeguarding their human rights (Guidelines on handling industrial accident compensation for illegal foreign workers (February 1995)). For industrial accidents which took place after 8 February 1991, illegal foreign workers are entitled to apply for back compensation (Guidelines on protective measures for illegal foreign workers (September 1995)). Illegal foreign workers are protected by accident compensation and liquidation of overdue payments in the same manner as general cases under labour-related laws (Guidelines on administrative guidance for the protection of illegal foreign workers (February 1995)).

Education

19. With a view to promoting understanding, tolerance and friendship among nations and racial or ethnic groups, and combating racial prejudices, the Government included new subjects, as follows, in the elementary and high school curricula:

(a) Understanding of typical characteristics of different races and ethnic groups;

(b) Respect for human dignity regardless of race, colour, sex, religion and belief, and equal treatment of all people in all fields;

(c) Measures and efforts to eliminate racial prejudices and discrimination.

20. As of 31 December 1996, there were 54 schools for foreigners in which 7,784 students were registered, meeting varying educational needs of the foreign nationals residing in Korea. The Korean Government has encouraged and supported foreign communities in Korea to establish their own schools through financial assistance and by other means. The number of schools for foreigners in Korea is given in the following table:

Chinese	34
American (US)	16
Japanese	2
Italian	1
German	1
Total	54

21. On the other hand, as of 30 July 1997, a total of 366 foreign students were attending Korean primary (196), middle (100) and high schools (70). In addition, as of 31 May 1997, a total of 2,458 foreign students were studying at Korean universities, including graduate schools.

22. Although the total number of foreign nationals has recently been increasing in the country, the number of foreign schools has not increased at the same extent because foreign workers seldom take children with them to Korea.

G. Turkey

1. The Government of Turkey reported that developing effective measures at the international level to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance is and should be one of the fundamental topics which the Commission on Human Rights has to tackle so as to ensure universal protection and promotion of human rights.

2. Turkey's devotion to the cause of gathering unanimous and comprehensive international reactions to the resurgence of racism in its most subtle and cruel forms continues unabated. The interest of Turkey in this cause stems from the fact that millions of Turkish citizens living abroad as foreign residents are the vulnerable group facing racism and discrimination daily. In a way, their material and mental agonies are a striking example before the Commission on Human Rights, recalling the urgency to react.

3. It is against this background that Turkey co-sponsored Commission resolution 1995/11 of 24 February 1995 as well as resolution 1997/74.

4. The Third Decade to Combat Racism and Racial Discrimination was launched in 1993, since the principal objectives of the previous two Decades had not been achieved. Turkey observes with dismay and concern that the Programme of Action for the Third Decade has not so far been fully implemented, for the same reason that doomed the two previous Decades to failure, i.e. the lack of adequate resources. This unfortunate fact must be a serious concern for every Member State of the United Nations, United Nations bodies, the specialized agencies, other intergovernmental organizations and NGOs. Since human rights are universal and indivisible, the international community as a whole should pay the same attention to racism, which is among the most serious violations of human rights in the contemporary world, as to other forms of human rights violations. In fact, the implementation of the Programme of Action is a shared responsibility of the international community at large.

5. The Turkish Government believes that if the Third Decade also fails to attain its objectives, it would be a significant setback for the United Nations in the important field of human rights.

6. Turkey is prepared to support every required action in order to give a new impetus to the Third Decade. It is essential that a focal point be established within the Office of the United Nations High Commissioner for Human Rights, which will be responsible for reviewing information concerning activities carried out within the framework of the Third Decade and making specific recommendations on such activities. On the other hand, cognizant of

the fact that an increase in the voluntary contributions to the Trust Fund for the Programme for the Third Decade is indispensable for the due implementation of the Programme, Turkey plans to contribute to this fund in 1998.

7. Turkey also supports the holding of a world conference on racism, racial discrimination, xenophobia and related intolerance as a means of giving further impetus to the Third Decade. The Government is of the opinion that such a conference will be instrumental, not only for much-needed awareness-raising but also to review the progress made in the fight against racism, assess the effectiveness of the methods and mechanisms used so far and, if need be, develop new standards.

8. The Government equally supports the decision that the Commission on human Rights would act as the preparatory committee for the World Conference. In view of this mandate, the Commission must embark at its fifty-fourth session on a preparatory process along the lines of a plan of action to be devised by the Commission itself. In sketching out this plan of action, the Commission should take into account the views of all concerned actors and mechanisms in the field, particularly those of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

II. INFORMATION RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS

Council of Europe

1. The Council of Europe and the Secretariat of the European Commission against Racism and Intolerance (ECRI) submitted comments on the subject of the convening of a world conference on racism and racial discrimination, xenophobia and related intolerance.

2. The first Summit of Heads of State and Government of the Member States of the Council of Europe (Vienna, October 1993) gave new impetus to the organization's activities in the field of combating racism, xenophobia, anti-Semitism and intolerance. A wide-ranging European Youth Campaign on this subject was organized in 1994-1995 and ECRI was set up to strengthen legislative and policy protection against racial discrimination.

3. At the second Summit (Strasbourg, 10-11 October 1997), the heads of State and Government of the 40 Council of Europe member States called for an intensification of this action against racism, xenophobia, anti-Semitism and intolerance and decided to strengthen ECRI's activities. The Council of Europe has just launched an Internet site on combating racism and intolerance which can be consulted at the following address: www.ecri.coe.fr.

4. The Council of Europe intended to contribute to the preparation of the World Conference by organizing a major event along the lines of the conferences organized by the Council of Europe prior to the World Conference on Human Rights in Vienna and the Fourth World Conference on Women in Beijing.

5. ECRI members were nominated by their respective Governments for their high moral standing and recognized expertise in issues relating to racism and intolerance.

6. ECRI decided from the start that its work should be multidisciplinary. Legislation at the international and national levels, whilst important in the fight against racism and intolerance, is not sufficient. It must first be fully implemented and then backed up by a wide range of policy and other measures in all fields of life.

7. The most innovative of ECRI's methods is its country-specific approach. Since the problems of racism and intolerance differ from one country to the next, ECRI felt that effective solutions could only be identified after an in-depth analysis of the situation in each of the member States. ECRI therefore develops proposals which are tailored to each country's particular situation, taking account of specific national problems. In the course of its work, ECRI examines information provided by Governments and non-governmental bodies regarding the nature and scale of the problems, existing countermeasures and areas for improvement. As of early 1998, some 17 of ECRI's country-specific reports had been issued.

8. ECRI is also working on a series of general policy recommendations for the Governments of all member States. They cover the main areas of racism and intolerance and provide basic guidelines for the development of comprehensive national policies. The first ECRI general policy recommendation is a broad one covering legal and non-legal aspects. ECRI's second general policy recommendation focuses on the role of specialized bodies at the national level, such as ombudsmen or commissions, in combating racism and intolerance. The latest, to be issued in early 1998, concerns combating racism and intolerance against Roma/Gypsies.

9. The European Convention on Human Rights contains an anti-discrimination clause in its article 14, but this protection only applies to the rights set out in the Convention. The accessory nature of article 14 may explain why the European Court of Human Rights has not found a breach of article 14 as a result of racial discrimination in any of the cases it has dealt with so far. ECRI has suggested that an additional protocol to the European Convention on Human Rights might be considered to provide wider protection against racial discrimination.

10. One of the major problems today is how to control the spread of racist and other offensive material on the Internet. ECRI intends to use new technology for a resolutely more positive purpose: for the setting up of a database for information and consultation purposes and for providing a forum for contacts between all those working to combat racism and intolerance.

III. INFORMATION RECEIVED FROM NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

Swiss Federal Commission against Racism

1. The following major points were considered in 1997:

Feature on travellers: public hearing and an issue of Tangram:

"Der schöne Schein" "Looking good" public relations campaign, in collaboration with Impuls Advertising AG and A. Venzago;

Campaign in the workplace (young wage-earners): the journal SPOCK;

Pilot study on possible discrimination in the law relating to foreigners (family reunion);

Brochure for journalists "Langue et discrimination" (Language and discrimination) (in preparation);

Report on anti-Semitism in Switzerland (in preparation).

Media/public opinion

2. On 9 July 1997 the Federal Commission against Racism (CFR), together with its partners Impuls Advertising AG, Küsnacht and the photographer Alberto Venzago, launched its first public relations campaign, "Der schöne Schein" "Looking good" - see Tangram 97/3, pages 53 to 57. This submission had won the first jury prize in the competition launched in 1996. On a series of posters and handbills, seven expressive minority faces look out at the viewer. The accompanying text varies with each face, beginning with "I am accepted as a ...", the common "claim" being "We are all concerned". The campaign has been favourably received in the media and by public opinion. A number of institutions, help organizations and school bodies have reused the photographs, themselves designing educational material, polls, etc. All the design and distribution, display spaces and newspaper articles, together worth over 1.8 million francs, was provided free of charge by the businesses involved. Other partners supported the campaign with financial contributions. Otherwise CFR could not have reached public opinion in this way since its annual budget contained no corresponding budget line. We take this opportunity to thank most warmly all those who took part in the campaign.

3. The University of Zurich's Publizistikwissenschaft (Press Science) seminar is evaluating the campaign; its findings will be ready in January 1998.

4. At workshops organized for them by CFR in 1996, a number of media workers said they would like practically oriented assistance in reporting without any trace of racism or discrimination. CFR engaged Professor Häusermann of the University of Tübingen to produce a brochure. A number of journalists' associations said they were ready to take part in consultations on the text and help to distribute the brochure (probably in 1998).

The workplace

5. The campaign targeting the workplace which it was decided to mount last year was carried out in 1997 by CFR, the Central Union of Swiss Employers' Associations, the Swiss Union of Arts and Occupations and the Swiss Trade Union. CFR produced a newspaper-format brochure called SPOCK aimed at young wage-earners and offering positive examples of people's commitment to combat exclusion and xenophobia. Another target group is business managers. The journal was presented to the media on 15 October. The first edition,

100,000 copies in German, has now been circulated to schools, business associations and trade unions. A bilingual, French-Italian version tailored to the needs of the regions concerned will follow next year.

Migration

6. CFR has learnt with satisfaction that Switzerland's three-ring policy towards foreigners is to be abandoned. The study on discrimination in the law relating to foreigners proposed by the working group on migration was entrusted to Forum Migration under Mr. A. Wimmer, in collaboration with Professor Kälin of the University of Berne. This is a pilot study which will confine itself to questions of family reunion and make concrete proposals for further studies.

Anti-Semitism

7. The proliferation of anti-Semitist sentiment during the discussion on funds on deposit belonging to Holocaust victims alarmed CFR. On 16 January 1997 it voiced its concern in a press communiqué (cf. Tangram 97/2, pp. 53 and 54). Meanwhile the Federal Council had also become aware of the gravity of the situation. It asked the head of the Federal Department of the Interior if CFR could be commissioned to conduct a general study of action to combat anti-Semitism in Switzerland. A working group was set up to follow up the proposal. The report is currently in preparation and will be submitted to the Federal Council in early 1998. It is also intended to be published.

Focal point: gypsies

8. CFR sought to engage Swiss gypsies in a far-reaching dialogue during a public hearing which lasted all day. It raised the question of parking places and licences for travellers at the yearly Cantonal Authorities Day. That day marked the beginning of a collaboration with a new foundation, "A future for Swiss travellers", whose establishment CFR applauds. The third edition of Tangram will be entirely devoted to gypsies.

Research

9. CFR, in association with a number of partners, entered a new national research programme for support from the Swiss National Science Research Fund with a project on "the societal importance of human rights in Switzerland". We should like here to thank our partners most warmly for their collaboration.

Mediation

10. The Chairman and chief administrator of CFR undertook their mediation role - a service much needed and much in demand - very energetically. The CFR secretariat with its small staff was sometimes overwhelmed. Over the first two years several cases, particularly cases directly involving the authorities, remained pending for quite some time. Cases of latent racism are difficult to deal with because emotions must be tackled. In some cases direct contact with representatives of the cantons, which have links with CFR, proved invaluable. CFR stubbornly champions cases with links to racism, but regards itself always as a mediator. It must also, on occasion, resist demands put

forward by potential clients. We note with satisfaction that CFR can sometimes help its clients by acting rapidly and non-bureaucratically. The secretariat thanks the non-governmental organizations active in this sector for their collaboration.

In prospect

11. The following main objectives have been set for 1998:

Continuation of the "Looking good" campaign

Continuation of the SPOCK campaign in French and Italian

Publication of the "language and discrimination" brochure for journalists

Submission of the pilot study on discrimination in the law relating to foreigners

Submission of the report on anti-Semitism in Switzerland to the Federal Council, and publication of the report

Conference with Council of Europe Countries in Lausanne

Contribution by CFR (in the form of reflections) on the occasion of the 150th anniversary of the Federal State

Contribution to the development of an appropriate instrument for keeping a permanent watch on racism, xenophobia and anti-Semitism (key topic of issue No. 4 of Tangram).

IV. INFORMATION FROM WITHIN THE UNITED NATIONS SYSTEM

A. Department for Economic and Social Affairs

1. Racism and racial discrimination are prime sources of conflict. Conflict, whether at the international, State, or community level, can be considered a natural, inevitable consequence of differing interests, goals or values which may be exacerbated by ethnic, racial, cultural and linguistic differences. Where the resources and skills for managing conflicts are available, they can be channelled into collaborative negotiations through which parties can find mutually acceptable and socially constructive solutions. Without access to mediating resources, conflicts can escalate into civil disruption and even physical destruction. Development is clearly impeded by violent conflict. Overt conflict demonstrated by physical violence has obvious destructive consequences. Covert conflict such as estrangement, discrimination or marginalization of particular groups in society has subtler, but equally damaging effects on stability and progress.

2. Individuals and societies deserve the right to have access to institutions and skills to help them combat racism and discrimination through non-violent, constructive means, i.e. negotiation and mediation skills, ombudsman services, conflict resolution training, etc. In this connection the

Department is assisting Governments, institutions and individuals to build capacity and to learn skills to enable them to handle divisive and conflicting situations in ways which pre-empt violence and result in constructive resolution of disputes. Creating mechanisms and structures through which conflict can be resolved or averted has the potential to lessen the inter-group tensions which exacerbate discrimination and intolerance.

3. Capacity-building consists of institutions-building and human resources development and encompasses both the Government, non-governmental organizations, and other civil society actors. Activities that reinforce the performance of the institutions of Government and civil society in conflict resolution and tolerance-building promote a vital objective in that they facilitate socio-economic development and build confidence in and experience with democratic processes. They can also help develop management skills and institutional structures at the grass-roots level, where potential conflicts may arise, particularly in heterogeneous communities. Such skills and institutions help mitigate existing conflicts and promote cooperative activities among individuals and groups of varying ethnic and religious backgrounds toward shared development objectives.

4. In this connection, within the Department's mandate in the area of capacity-building for sound governance, attention has been focused on the need to build up capacity for governance both in the public sector and the civil society. Particular attention has been paid to the creation or refinement of structures and skills at the grass-roots level for joint development projects and for the peaceful management and resolution of disputes.

5. In addition, through the governance project in Swaziland and in response to a request from the Parliament of Swaziland the Department, in collaboration with the Commission for Human Rights, is planning to provide assistance in the holding of a series of civil education activities aimed at familiarizing parliamentarians, policy makers and the public at large with international conventions (including the International Convention on the Elimination of Racial Discrimination), to emphasize the importance of these mechanisms for national development in general and for good governance in particular, and assist Governments on how best to integrate the spirit and substance of the conventions into national law. The first activities are expected to be held in the first half of 1998.

B. Department of Public Information

1. The elimination of racial prejudice, racism and racial discrimination requires tremendous and concerted efforts on the part of the international community, especially in view of the spread of xenophobic and racist outbursts in various parts of the world. Such a task also requires the mobilization of various actors such as government officials, policy makers, officials of the United Nations system, news media, educational institutions and non-governmental organizations.

2. The Programme of Action adopted for the Third Decade to Combat Racism and Racial Discrimination requests the Department of Public Information to

undertake specific activities that could be carried out by Governments and relevant non-governmental organizations to commemorate the International Day for the Elimination of Racial Discrimination (21 March) each year.

3. The International Decade for Human Rights Education and the International Decade of the World's Indigenous People, which are taking place within the same time-frame as the Third Decade, provide a unique opportunity to emphasize the message of respect for human rights and fundamental freedoms. As part of its work to advocate and promote the work of the United Nations in the field of human rights, the Department of Public Information (DPI) is emphasizing the linkage in its information programmes and activities. These consist of: production of print promotional material, radio and television programmes, films, photos and exhibits; providing press coverage of intergovernmental meetings on human rights issues; holding press conferences and briefings; liaising with the media; organizing special events and other activities; and collaborating with non-governmental organizations.

4. The promotional materials produced by DPI are mainly aimed at the news media, non-governmental organizations (NGOs), government officials, policymakers, students and educators. Information is also channelled to the general public through NGOs, including educational and cultural institutions, religious organizations and others.

5. To highlight the activities of the Organization, the Department launches information programmes on specific themes. Information on the role of the Organization and its activities is also disseminated through radio and television programmes. These are produced regularly by the Department in a variety of languages and are broadcast by national radio and television stations around the world. For instance, since the beginning of the Decade, United Nations radio has produced more than 50 programmes and featurettes on racial discrimination in the six official languages of the United Nations as well as non-official languages such as Bangla, Dutch, Hindi, Indonesian, Kiswahili, Portuguese, Turkish and Urdu. Radio documentaries will be produced throughout the Decade, as part of the regular 15-minute weekly radio series that the Department produces in 15 languages.

6. Several "UN in Action" television programmes, produced in English by the Department for the CNN World Report (and in additional languages for wider distribution), featured issues relating to human rights. The CNN programmes are broadcast in more than 120 countries.

7. The DPI network of 68 United Nations Information Centres (UNICs) and Services (UNISs) and 8 United Nations Offices (UNOs) have been instrumental in promoting the objectives of the Third Decade. The Centres and Services are very active in disseminating and producing relevant materials from Headquarters. They also organize or co-sponsor events, meetings, public gatherings and briefings; participate in seminars, workshops, panels and lectures; and give interviews to the media.

8. The following paragraphs highlight some of the main activities undertaken by selected Centres and Services around the world during the past year on the International Day for the Elimination of Racism and Racial Discrimination:

9. UNIC Brussels gave information support to numerous NGOs organizing events for the International Day such as the United Nations Association of Luxembourg and several Belgian Dutch-speaking NGOs. Belgian French-speaking NGOs organized a major educational event in Namur which some 3,000 people attended. The Centre arranged for the display of relevant United Nations documents through the Belgian UNICEF Committee and translated the booklet "The High Commissioner for Human Rights: An Introduction. Making Human Rights a Reality" for the occasion.

10. UNIS Geneva organized a public meeting to observe the International Day at the Palais des Nations, chaired by the Director of the Service. The theme chosen, "Combating racism against immigrants", reflected a highly topical issue in Europe and many other parts of the world. Panellists for the meeting included Vladimir Petrovsky, Director-General of United Nations Office in Geneva; Ambassador Miroslav Somol of the Czech Republic, Chairman of the fifty-third session of the Commission on Human Rights; Ambassador Michael Sherifis of Cyprus, member of the Committee on the Elimination of Racial Discrimination; Ambassador Stephane Hessel of France; and Mr. Adama Dieng, Secretary-General of the International Commission of Jurists. The meeting was widely publicized and attracted more than 300 people, including many members of delegations, NGOs, the media and staff. Interviews were conducted ahead of the meeting. The Tribune de Genève published an article inviting the general public to attend. Agence France-Presse wrote a dispatch and Radio 74 broadcast the proceedings. Several documents were distributed at the event.

11. UNIC Lisbon translated the Secretary-General's message into Portuguese and issued a press release which was distributed, via fax, to the national news agency, the main national circulation dailies and current affairs weeklies, the three television stations and to national and regional broadcasting stations.

12. The Director of UNIC Mexico City briefed 100 students on the issue of racial discrimination and on the actions undertaken by the United Nations in this area. Participants viewed the video "El mundo contra el apartheid" ("The world against apartheid").

13. UNIC Port of Spain organized a television discussion on the theme "Racial discrimination. Does it exist in Trinidad and Tobago?" The programme was aired on three TV stations in the country. The Centre also issued press releases on racial discrimination and distributed them throughout the region.

14. UNIC Rio de Janeiro co-produced with TV Educativa and the Federal University of Rio de Janeiro a new TV programme which was to broadcast United Nations-related issues once a month. The programme was dedicated to the International Day against Racial Discrimination.

15. The Director of UNIC Windhoek participated in a seminar on "Race unity: United Nations actions to eliminate racism and other forms of injustice and intolerance", organized by the Baha'i Spiritual Assembly. One hundred and fifty people representing several NGOs attended the event.

16. Throughout the Decade, the Department will encourage United Nations Information Centres and Services to work more closely with national

organizations at all levels in order to emphasize and widely disseminate various human rights instruments. When contacting national organizations, UNICs and UNISs will stress the importance of educating and informing people at all levels and in all strata of society. Working closely with grass-roots organizations, UNICs and UNISs are undertaking special promotional activities to heighten public awareness of the issues of racism and racial discrimination. Such activities include the organization of press conferences, briefings, round tables and seminars. UNICs will also encourage exchanges between schools from different neighbourhoods, where children from disadvantaged minorities and different countries can learn about other cultures or differences. They also encourage schools to include human rights in their curricular. As at past observances of the International Day for the Elimination of Racism and Racial Discrimination, special cultural events will be organized featuring art, music and theatre performances. Famous people such as actors, singers or athletes who are role models for young people are being mobilized to speak on human rights issues.

17. Collaboration between the United Nations system and national and regional organizations is essential for a successful educational campaign in which the general public can learn about their rights and the mechanisms which exist to enforce those rights, and the importance of peace and conflict resolution. To accomplish this, human rights instruments and other human rights materials available in print and audio-visual formats must be widely disseminated. As part of this campaign, the Department of Public Information has helped to arrange the translation of the Universal Declaration of Human Rights into more than 150 languages. It has also recently produced a poster/brochure (DPI/1653) on the Universal Declaration of Human Rights in English, French and Spanish, which it has distributed globally. A wall chart (DPI/1549) on the United Nations human rights mechanisms and a brochure on the United Nations and human rights (DPI/1774) have also been produced and distributed worldwide.

18. During the Decade the Department will continue to reprint and widely disseminate the United Nations Declaration on the Elimination of All Forms of Racial Discrimination as well as the International Convention on the Elimination of All Forms of Racial Discrimination (DPI/858). The Department will also produce backgrounders and features in order to raise public awareness of and sensitize public opinion on the issue. At present, a background article is being prepared on racism and its consequences, highlighting the work of the United Nations in this field.

19. Throughout the Decade, DPI will continue to provide press, radio and television coverage of the Commission on Human Rights and its subsidiary bodies and to give special attention to issues concerning racism in its ongoing coverage and promotional activities.

20. The proclamation of three United Nations decades on human rights issues provides a unique opportunity for the international community to spread the human rights message worldwide in close cooperation with various sectors and actors of society.

C. Office of the United Nations Special Adviser on Gender Issues and Advancement of Women

1. The issue of racial discrimination has been tangentially addressed by the Committee on the Elimination of Discrimination against Women (CEDAW) in its review of States parties' reports. However, it cannot be described as a main focus of the Committee. Further, the Committee has at no time taken cognizance of the Programme of Action for the Third Decade. Where appropriate, the Committee draws attention to the double burden of discrimination experienced by women coming from racial minorities. Concluding comments relating to the reports of States parties with racial minorities usually address the double discrimination experienced by such women. An example of this can be seen in its review of the first report of Israel at its seventeenth session and its review of the third periodic report of Australia, also at its seventeenth session.

2. Notably, the National Action Plans to implement the Beijing Platform for Action received from Member States by the United Nations do not address racial discrimination and rarely raise the question of the special position of women from racial minorities. Moreover, none of these mentions the Programme of Action for the Third Decade.

3. The Chairman and another member of the Committee on the Elimination of Racial Discrimination (CERD) attended a meeting in late 1996 co-sponsored by the United Nations, the Office of the High Commissioner for Human Rights and the United Nations Population Fund. However, those participants did not consider that the International Convention on the Elimination of All Forms of Racial Discrimination gave any scope to the Committee to pay attention to issues confronting women from racial minorities. The fact that CERD has not directly addressed issues of this nature has not encouraged CEDAW to take steps to create linkages with CERD and probably accounts for the tangential attention paid by CEDAW to the plight of women from racial minorities.

4. Issues of race discrimination are raised in a tangential way in the report of the Secretary-General with regard to violence against migrant workers and trafficking in women. These issues are also addressed again tangentially in the reports relating to Palestinian women.

D. Office of the United Nations High Commissioner for Refugees

1. The correlation between racism, racial discrimination and refugee movements is well established. Discriminatory treatment of this nature is a major cause of forced displacements, as well as a significant impediment to durable solutions to refugee problems. At an individual level, when a person feels his/her security is threatened by the prevalence of such sentiments, he/she may be driven to seek protection abroad. Additionally, intolerance and ethnic violence have been at the heart of a number of conflicts witnessed by the international community in recent years, that have not only generated large-scale refugee movements, but have, in some situations, had such population displacements as their objective. The scars and residual tensions and hatreds that result from such conflicts can and do provide obstacles to the return of refugees. They can, for example, create situations in which the

majority of returnees opt, or are forced by pervading circumstances to return only to areas in which they are part of a majority ethnic group. They can also result in situations in which individuals returning home do so at significant risk to their safety and well-being.

2. Concurrently, racism and racial discrimination are realities frequently confronting refugees in countries of asylum. This has been particularly evident in recent years, which have seen a marked increase in the number of incidents of racist and xenophobic attacks against refugees in a number of countries.

3. A number of UNHCR's ongoing activities focus particularly on the promotion of racial tolerance and reconciliation. The formal cessation of hostilities in several regions affected by ethnic conflicts, and the subsequent commencement of gradual processes of reconstruction and reconciliation, have led, for example, to the implementation by UNHCR of programmes for the repatriation, return and reintegration of refugees and displaced persons. Within the context of these programmes, UNHCR, in close cooperation with local governments, other United Nations agencies, development institutions and NGOs, has undertaken or participated in a broad range of initiatives that incorporate both traditional protection activities, as well as specific programmes to combat ongoing intolerance which makes returns fragile.

4. One such programme in this regard is UNHCR's "Open Cities" initiative in Bosnia and Herzegovina. Launched in March 1997, the initiative is designed to encourage cities or municipalities to establish publicly their desire to accept the return of ethnic minorities to their former homes and permit their participation as full members of the community. Where a desire to practise such a policy has been indicated, both verbally and through concrete actions, the community is evaluated by UNHCR and its international partners on the basis of established criteria, to assess the nature of the community's commitment. Once declared to be "open", the community is accorded international assistance on an incremental basis in accordance with its progress for the purposes of reconstruction and reconciliation, and in this context UNHCR, in conjunction with local authorities, undertakes steps to facilitate the minority returns. Presently, eight Open Cities have been recognized and others are under consideration. Despite the numerous difficulties encountered in this and other operations, UNHCR continues to work towards safe and sustainable repatriations and returns for refugees and displaced persons. Their effective realization is central to the gradual reversal of the damage and divisions generated by the ethnic conflicts.

5. Additionally, the central importance of an effective human rights regime to the protection of refugees and to the effective prevention of further population displacement has led UNHCR to undertake a significant amount of liaison work with the treaty bodies of the United Nations, including the Committee for the Elimination of Racial Discrimination (CERD). The sessions serve as an important additional forum for obtaining information on the general situation within a given country. Additionally, UNHCR may provide general background information to the Committee on the situation of refugees and others of concern to UNHCR in the countries under consideration, a process

which has the two-fold advantage of allowing UNHCR to contribute actively to the Committee's work, and of ensuring refugee and asylum issues a place on the Committee's agenda.

6. Racism, racial discrimination and related intolerance are amongst the most serious violations of human rights, and must be actively addressed by all possible means. With this in mind, UNHCR supports the objectives of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, and the goals of those initiatives of other United Nations bodies, specialized agencies and NGOs undertaken in the context of the implementation of the Programme of Action.

E. United Nations Interregional Crime and Justice Research Institute

1. In 1997, UNICRI proposed and undertook a comparative study of juvenile justice and Romani youths in three European cities: Paris, Florence and the Budapest metropolitan area. The main aim of the project was to provide information on and discuss the interaction between minors from Romani communities and the juvenile justice system in the three cities, in order to promote protection of the rights of children at risk of having contact with the law and to improve communication and cooperation between the Romani community, the juvenile justice system and social services and NGOs, in the best interests of the child. Particular stress was given to the juvenile justice system (from both the legislative and the practical point of view) in the context of human rights.

2. The information was collected from three different sources: official reports, the available literature (case studies, reports, publications, etc.) and interviews with key persons from the following three categories: juvenile justice system personnel; social workers and NGO personnel; and members of the Romani communities, including minors.

3. UNICRI will publish a book on the study containing the three reports on the selected cities, each of which includes:

(a) An overview of the situation;

(b) A section dealing with the juvenile justice system, including the legislation, the measures applied to minors, available statistical data, problems in implementing juvenile justice for Romani minors, and cooperation with the social services and the NGOs;

(c) A section describing the social services and NGOs working with Romani minors, including data on both the organizations and the minors, and problems encountered in dealing with Romani minors' cases and with the juvenile justice system;

(d) A section describing the situation from the point of view of the Romani community, including a description of the traditional social control of minors, the social structure, and the problems faced by the Romani community in dealing with the juvenile justice system and the social services; and

(e) An analysis of the situation, comments and suggestions, and a discussion of selected key issues that emerged from the three reports as well as general comments with particular emphasis on the implementation of the principal international instruments.

V. INFORMATION FROM NON-GOVERNMENTAL ORGANIZATIONS

A. Afro-Asian People's Solidarity Organization

1. The Afro-Asian People's Solidarity Organization (AAPSO) submitted the following remarks and comments.

2. AAPSO emphasizes the need to convene an international conference on racism, racial discrimination, xenophobia and intolerance as soon as possible. Preparations and discussions on the main topic and sub-topics should begin promptly. Such a conference would provide a clearer idea of the danger posed by the possible continuation of racism, inasmuch as racism could develop and take different forms (in economics, ideology and other areas where gross intolerance occurs) in an economic and social system governed by globalization and underpinned by fast-moving scientific and technological progress.

3. In order to remain effective and step up the campaign against racism, racial discrimination, xenophobia and intolerance, the international conference should, in AAPSO's view, draw up and adopt strategies for stimulating and intensifying the implementation and follow-through of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, enlisting the support of the entire international community; all governmental, intergovernmental, non-governmental and other organizations and civil societies involved in efforts to combat racism would, as part of the general strategy, monitor the situation permanently and in close coordination.

4. It would be helpful to set up a special section or department on racism, racial discrimination, xenophobia and intolerance within the United Nations office in each country, to work closely with local organizations with the authority to deal with the problem (grass-roots organizations, NGOs, civil societies, etc.).

5. AAPSO believes that preventive educational and information activities should be undertaken in areas such as education, teaching, the mass media and practical work at all levels of society (educational institutions, the workplace, conferences, etc.).

B. Commission of the Churches on International Affairs of the World Council of Churches

1. The World Council of Churches has continued its programmes and its support to combating racism. Some specific aspects of the work were described.

2. Among the WCC member Churches, work related to the struggle against apartheid has sharply declined since the elections in South Africa. The WCC and many of its 325 member Churches around the world were involved in the international campaign against apartheid. The commitment was considerable,

with grants from the Special Fund to Combat Racism being made to liberation movements, the convening of major international consultations to coordinate worldwide strategies, such as the economic boycott, and widespread financial support of anti-apartheid groups in different parts of the world.

3. Despite a WCC-sponsored world conference on racism in 1980 which urged Churches to heed "racism in their own backyard", the preoccupation of many Churches had been the drama of the apartheid struggle. The commitment in that direction was often not accompanied by a similar commitment to combat racism in the national and local arenas. Some member Churches were unable to apply their insights about racism to the situation in their own countries. Racism remains an issue, which divides communities and even families. This has meant that, within the WCC, awareness-raising on the dynamics and effects of racism has had to be reinforced in recent times.

4. Partly in response to the situation described above, the WCC has begun an "Ecumenical Study Process on Racism" which seeks to identify anew the manifestations of racism in society and in the Churches. New analysis is needed to understand racism as both a global and a regional phenomenon. The study includes the drafting of papers analysing racism in Latin America, the Caribbean, North America, the Pacific region, Europe, Asia and Africa. Each will indicate the particular manifestations of racism in the respective region. The WCC has already had indications that these will include racial discrimination, oppression of minorities, ethnic conflicts, the interconnections of racism and economics, racism in theology, environmental concerns, racism against uprooted peoples, and violence and religion.

5. Each regional document will stand on its own, but a synthesis will provide a global document on racism today. This is intended as a major resource document for the forthcoming VIIIth Assembly of the World Council of Churches which will take place in Harare in December 1998. It is anticipated that the results of the Ecumenical Study Process on Racism will provide guidelines for setting priorities for the WCC's work on racism in the future.

6. Within the WCC, racism and xenophobia and their impact on women have been specifically addressed through the programme "Women under Racism", and by financial support of activities organized and implemented by black and indigenous women. The main activities are workshops aimed at promoting interregional encounters and exchanges, information exchange and dialogue on common issues, and solidarity-building among women of different racial and ethnic backgrounds as well as from Churches and groups of civil society. The WCC formed an international network called SISTERS (Sisters In the Struggle To Eliminate Racism and Sexism).

7. For many years, the WCC has consistently affirmed its commitment to combat racism against indigenous peoples. It recognizes that indigenous people are persistently victims of personal and institutional racism manifested by rejection of their languages, denial of their spiritualities, dispossession of their lands, including their sacred sites, and exclusion from participation in decision-making which affects their lives.

8. The WCC remains committed to combating racism worldwide.

C. Conference of European Churches

The Conference of European Churches (CEC) reported that a working group on racism and xenophobia was created within the CEC in 1995. The mandate of the working group was defined as follows:

(a) To motivate and facilitate actions of Churches and Church leaders in combating racism;

(b) To contract anti-racism training programmes for the CEC leadership;

(c) To collect data on black and minority participation in church structures and activities;

(d) To identify persons in the Church working on these issues;

(e) To share resource materials and action programmes;

(f) To provide a handbook on racism;

(g) To enable member Churches to undertake awareness-training concerning black and racially oppressed minorities, including Roma;

(h) To facilitate the encounter of the theology of minorities with the theological study work of CEC and CEC member Churches;

(i) To contribute to the process within the World Council of Churches of compiling an ecumenical statement on racism;

(j) To explore possibilities for CEC to undertake inter-faith dialogue;

(k) To develop a mechanism in CEC for making public statements and taking effective stands against incidents of racism and xenophobia.